

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.* State Engineer,
Plaintiff,

69cv07896-BB
RIO TAOS ADJUDICATION

- v -

EDUARDO ABEYTA, *et al.* &
CELSO ARELLANO, *et al.*,
Defendants.

69cv07939-BB
RIO HONDO ADJUDICATION
Consolidated

Section: Rio Pueblo de Taos
Ditch: Acequia de la Plaza

ORDER APPLYING PRIORITY DATE FOR
ACEQUIA DE LA PLAZA TO INDIVIDUAL SUBFILES

In the May 13, 2002 Memorandum Opinion and Order (Docket No. 3026), the Court clarified procedures for determining subfile priority dates and stated that acequia-wide priority dates are to be applied to the water rights they serve. Each claimant has had an opportunity to prove an earlier priority date during the subfile phase and objectors will have the opportunity to prove later priority dates during the *inter se* phase. (No. 3026) On February 19, 2004, the Court entered a Memorandum Opinion and Order (No. 4419) that adopted a priority date of 1815 for the Acequia de la Plaza.

This Order applies the priority date adopted for the Acequia de la Plaza to each subfile irrigation water right it serves. The acequia-wide priority date does not apply to supplemental irrigation wells or springs, nor does it apply to individual subfile water rights previously denied by the Court. All water right claims denied have a priority date of "None." Subfile priority dates are listed in Exhibit A attached to this Order.

It is therefore ordered that the 1815 priority date adopted for Acequia de la Plaza is applied to individual subfile water rights as set forth in Exhibit A.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

EXHIBIT A
ACEQUIA DE LA PLAZA

Individual Subfile Priority Dates	
Subfile Number	Priority Date
1.77	1815
1.78	1815
1.79	1815
1.79A	1815
1.79B	1815
1.79C	1815
1.79D	1815
1.79E	1815
1.80	1815
1.81	1815
1.82	1815
1.83	1815
1.84	1815
1.85	1815
1.86	1815
1.86A	1815
1.87	1815
1.88	1815
1.89	1815
1.89A	None
1.90	1815
1.90A	1815
1.91	1815
2.64	1815
2.64A	1815
2.64B	1815
2.65	1815
2.65A	1815
2.65B	1815
3.49	1815
3.50	1815
3.51	1815
3.52	1815
3.53	1815

Individual Subfile Priority Dates	
Subfile Number	Priority Date
3.54	1815
3.54A	1815
3.55	1815
3.55A	1815
3.56	1815
3.57	1815
3.58	1815
3.59	1815
3.59A	1815
3.59B	1815
3.60	1815
3.60A	1815
3.61	1815
3.62	1815
3.62A	1815
3.63	1815
3.63A	1815
3.64	1815
3.65	1815
3.66	1815
3.67	1815